

Report From Agency

REPORT TO LEGISLATURE

NR 811, Wis. Adm. Code

Board Order No. DG-22-20
Clearinghouse Rule No. CR 22-074

Basis and Purpose of the Proposed Rule

The primary objectives of revisions to ch. NR 811, Wis. Adm. Code, are to correct, clarify, and update design and construction standards and address new technologies related to community drinking water systems.

Specific objectives include:

- Modify, add and clarify NSF/ANSI Standard 61 certification requirements for all materials or products that come into contact with finished water.
- Modify, add, and clarify groundwater well design including siting, construction, rehabilitation, reconstruction, and abandonment.
- Modify, add, and clarify groundwater and surface water treatment facility design including construction, reconstruction, treatment technologies, facility layout, equipment, piping, storage, and disposal of waste.
- Modify, add, and clarify finished water storage design including siting, construction, rehabilitation, reconstruction, and decommissioning.
- Modify, add, and clarify distribution and transmission system design including separation distance to potential contamination sources, installation, construction, location of appurtenances, rehabilitation technologies, testing, and abandonment.
- Modify, add, and clarify drinking water system building construction requirements.
- Modify, add, and clarify source water quality treatment requirements.
- Modify, add, and clarify exemptions or alternative code requirements for other-than-municipal (OTM) community drinking water systems.
- Remove code requirements that may be conflicting or are no longer applicable.
- Address grammatical errors and inconsistencies.

Summary of Public Comments

See attached "NR 811 Revision Public Comments and DNR Responses, Natural Resources Board Order DG-22-20."

Modifications Made

No testimony was received at the hearing.

Appearances at the Public Hearing

No public testimony was received in support or in opposition of the revised rule at the public hearing.

Changes to Rule Analysis and Fiscal Estimate

No changes were made to the rule analysis or fiscal estimate.

Response to Legislative Council Rules Clearinghouse Report

The Legislative Council Rules Clearinghouse submitted comments on statutory authority; form, style and placement; adequacy of references; and clarity grammar, punctuation and use of plain language.

Changes to the proposed rule were made to address all recommendations by the Legislative Council Rules Clearinghouse, except for those discussed below.

Comment 5.e: In SECTION 40, the word “insure” should be revised to “ensure”. Additionally, the term “other-than-municipal water systems” could be replaced with more formal language.

Department Response: “Other-than-municipal water system” is a type of water system defined by s. NR 811.02(45).

Final Regulatory Flexibility Analysis

The rule is not expected to have an impact on small businesses.

Response to Small Business Regulatory Review Board Report

The Small Business Regulatory Review Board did not prepare a report on this rule proposal.